

PATENT

ATTORNEY DOCKET NO.: SCF-87

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Claire B. Bass) Examiner: Arti R. Singh
Serial No.: 10/806,082)
Filed: March 22, 2004) Art Unit: 1794
Title: Motor Vehicle Air Bag and) Confirmation No.: 1376
Fabric For Use in Same) Deposit Acct. No.: 04-1403

PETITION UNDER 37 CFR SECTION 1.47

Dear Sirs:

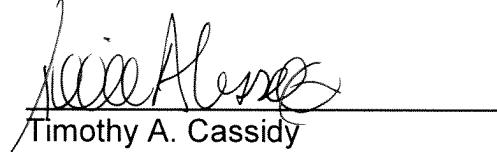
A petition is hereby made for acceptance of a Declaration under Section 1.131 when an inventor refuses to sign or cannot be reached with respect to the above-captioned application. Included is a statement of the pertinent facts and the fee set forth in Section 1.17 (i).

A Declaration under 37 CFR Section 1.131 is included with this Petition signed by an officer of the assignee of record in accordance with CFR Section 1.47(b). The last known address of the inventor, Claire B. Bass, is as follows: 183 Alabama Street, Spartanburg, South Carolina 29302.

Should any questions arise with respect to this petition, the undersigned can be reached at 864-271-1592.

Respectfully Submitted,

Dated: 4/14/08



Timothy A. Cassidy
Reg. No. 38,024
DORITY & MANNING, P.A.
P.O. Box 1449
Greenville, SC 29602
(864) 271-1592 (telephone)
(864) 233-7342 (fax)

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|-----------------------|------------------------------------|---|--------------------|---------------|
| In re Application of: | Claire B. Bass |) | Examiner: | Arti R. Singh |
| | |) | | |
| Serial No.: | 10/806,082 |) | Art Unit: | 1794 |
| | |) | | |
| Filed: | March 22, 2004 |) | Confirmation No.: | 1376 |
| | |) | | |
| Title: | Motor Vehicle Air Bag and Fabric) | | Deposit Acct. No.: | 04-1403 |
| | For Use in Same) | | | |

**AFFIDAVIT OF TIMOTHY A. CASSIDY
IN SUPPORT OF THE PETITION UNDER 37 CFR SECTION 1.47**

I, Timothy A. Cassidy, swear and state as follows:

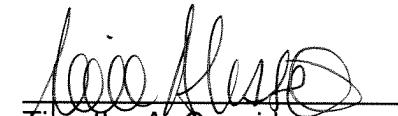
1. I am currently a Patent Attorney with the Law Firm of Dority & Manning, P.A. My Registration Number is 38,024.
2. It is believed that Claire B. Bass has displayed conduct which constitutes a refusal to sign the Declaration Under 37 C.F.R. 1.131 for the patent application entitled "Motor Vehicle Air Bag and Fabric For Use in Same" having an Official Serial Number 10/806,082.
3. The Declaration under 37 CFR 1.131 was prepared in order to remove U.S. Patent No. 6,713,131 as prior art to the currently pending claims. The '131 patent is currently being cited against the claims.
4. Claire B. Bass is no longer employed by the assignee of record. After the Declaration was prepared, numerous attempts were made to contact Ms. Bass to

determine if she would cooperate and sign the Declaration. Scott Manley, who is employed by the assignee of record, did contact her by telephone and confirmed her email address. Subsequently, I sent the letter attached as Appendix A to Ms. Bass enclosing the Declaration for her signature. Ms. Bass has not responded to my email and has not responded to other attempts to contact her.

5. It is respectfully submitted that a bona fide attempt has been made to present a Declaration to Claire B. Bass and that she is refusing to sign or is otherwise unavailable.

Should any questions arise with respect to this petition, the undersigned can be reached at 864-271-1592.

Respectfully Submitted,



Timothy A. Cassidy
Reg. No. 38,024

DORITY & MANNING, P.A.
P. O. Box 1449
Greenville, SC 29602
Phone: 864-271-1592
Facsimile: 864-233-7342

Dated: 4/14/08

Tim Cassidy

From: Pam Knorr
Sent: Thursday, July 26, 2007 4:16 PM
To: claire@beclosing.com
Cc: Tim Cassidy
Subject: Declaration for SCF-87

Attachments: SCF-87-Declaration.pdf

July 26, 2007

VIA EMAIL

Claire Bass
claire@beclosing.com

RE: U.S. Patent Application Entitled "Motor Vehicle Air Bag and Fabric for Use in Same"
USSN: 10/806,082
FILED: March 22, 2004
OUR REF: SCF-87

Dear Ms. Bass:

Recently, you were contacted by Scott Manley requesting that you sign the enclosed Declaration for filing with respect to the above captioned application. The purpose of the Declaration is simply to establish that air bag fabric samples made according to the above captioned application were constructed prior to April 8, 2002. In this regard, the "Style Master Listing" is attached to the Declaration.

By submitting the Declaration, we hope to remove U.S. Patent No. 6,713,131 as prior art to the application, which is currently being cited by the Examiner.

Please let me know if you have any reservations in signing the Declaration. I would be happy to discuss it with you in detail. Also, if you feel that the Declaration contains any errors, please let me know.

If you have no intention of signing the Declaration, please also let me know.

If you wish to discuss the Declaration or if you have any questions, please call me at 864-527-1516.

Kindest personal regards.

Sincerely,

DORITY & MANNING, P.A.

Timothy A. Cassidy

TAC/pbk

Enclosures (as stated)



SCF-87-Declaration
.pdf (113 KB...)

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ATTORNEY DOCKET NO.: SCF-87

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Claire B. Bass)
Serial No.: 10/806,082) Examiner:Arti R. Singh
Filed: March 22, 2004) Art Unit: 1771
Title: Motor Vehicle Air Bag and Fabric For) Deposit Acct. No.: 04-1403
Use in Same) Client ID: 22827
) Confirmation No.: 1376

DECLARATION UNDER 37 C.F.R. 1.131

1. I am an officer of the assignee of record.
2. U.S. Patent No. 6,713,131 to Blackwood, et al. was cited against the claims in the Office Action dated December 4, 2006. The '131 patent was filed in the U.S. Patent Office on April 8, 2002.
3. Prior to April 8, 2002, the invention was reduced to practice as described and claimed in the subject application.
4. As evidence of the reduction to practice prior to April 8, 2002, attached is a "Style Master Listing" describing an air bag fabric sample that was completed on March 5, 2002. As shown towards the bottom of the sheet, the fabric was pad coated with a residue in accordance with the currently pending claims. In particular, the fabric substrate described on the Style Master Listing was pad coated with a residue in an aqueous solution. The aqueous solution comprised a water-based finish in accordance with currently pending claim 1.
5. I acknowledge all statements made of my own knowledge in this declaration to be true and all statements made on information and belief in this declaration are believed to be true.

6. I further acknowledge that willful false statements and the like made in this declaration are punishable by fine or imprisonment, or both and may jeopardize the validity of the application or any patent issuing thereon.

April 3, 2008
Date

Name: Russell M. Robinson III

Title: Vice President and Secretary

SAFETY COMPONENTS FABRIC
TECHNOLOGIES, INC.

STYLE MASTER LISTING
Sample Specification

PAGE : 1

Style: W0252-0001-0505

Level: IV

| | | | |
|---|---|-------------------|-------|
| Description: | 315 60x60 Acordis NY | U/M: | YD |
| Fabric: | High warp tension, 75-85 CN-TARGET 80/1W/DORNIER TENSOMETER | | |
| Weave: | Check o.1. construction in relaxed state at take-up | | |
| Nylon coating: | | | |
| Plain, 8 harness, 6 banks of wires(stainless steel) | | | |
| Use Dratex Temple Rod (large bar) with 16mm knurled rod | | | |
| For low pectm | | | |
| Face: | Either side | | |
| Weave cut (yds): | 3000 | Weave picks/inch: | 60.00 |
| Edges: | Heat slit at loom | | |
| Type size: | HV-11 | | |
| Other: | with wetting agent, 0% stretch | | |

| | | | |
|-----------------|-----------------------------------|--------------------------|---------------------------------|
| Warp Yarn code: | RMN11538 | Supplier: | POLYAMIDE HIGH PERFORMANCE, INC |
| Description: | 315/144 T-447 HRT-8 | Acordis Scottsboro Nylon | |
| Twist: | None | | |
| Merge: | AQH | | |
| | 14,150 yds/lb | 0.3079 wt/yd | |
| Fill Yarn code: | RMN11539 | Supplier: | POLYAMIDE HIGH PERFORMANCE, INC |
| Description: | 315/144 T-447 HRT-8 | Acordis Scottsboro Nylon | |
| Twist: | None | | |
| Merge: | AQH | | |
| | 14,150 yds/lb | 0.3435 wt/yd | |
| Packaging: | See Final Inspection Instructions | Putup code: | 11 Roll Goods |
| Grading: | See Final Inspection Instructions | Hold code: | 02 |
| Purpose: | Nylon Coating Air Bags | Tare wt: | |
| Tube size: | See Final Inspection Instructions | CFM code: | |

| Std wt (yds/lb): | 1.57 | Width (in): | Min | Est. | Off Loom | Target | Min | Est. | Finished | Target |
|------------------|-------|----------------|-----------|------|-----------|---------|---------|------|----------|---------|
| Weight (lbs/yd): | 0.636 | Count (W x F): | 69.00 | | 70.00 | 69.50 | 63.50 | | 64.50 | 64.00 |
| Allow dev %: | 3.00 | wt (oz/syd): | 55 x 59.5 | | 57 x 60.5 | 56 x 60 | 58 x 58 | | 62 x 62 | 60 x 60 |

Comments: As C/R # CB-077 28392-1
SCOUR CONTINUOUS GMC UNIT AS PROTOTYPE, 200-190 DEGREES ALL BOXES, 50 YPM
TENTER #3 300-250-200 30 YPM MAX.
USE FABRIC OF 28392-1 AS 28392-1 BUT PAD COATED WITH GLO-TEX PRODUCT JB-25A
CONCENTRATION. FABRIC TO BE PAD COATED AFTER SCORING, BEFORE HEAT SETTING. "ULTRA
PERM".

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03/30/2007 (QMS-102,103)